

Pro Se 15 (Rev. 12/16) Complaint for Violation of Civil Rights (Non-Prisoner)

UNITED STATES DISTRICT COURT

for the

Middle District of Alabama

2019 JUN 21 A 9:53

DEBRA P. HACKETT, CLK
U.S. DISTRICT COURT
MIDDLE DISTRICT ALA

Case No.

2:19-CV-436-MHT-SMD

(to be filled in by the Clerk's Office)

ADRIAN K. THOMAS

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

GOVERNOR STATE OF ALABAMA

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names. Do not include addresses here.)

Jury Trial: (check one) ☐ Yes ☒ No

COMPLAINT FOR VIOLATION OF CIVIL RIGHTS (Non-Prisoner Complaint)

NOTICE

Federal Rules of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

Except as noted in this form, plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.

In order for your complaint to be filed, it must be accompanied by the filing fee or an application to proceed in forma pauperis.

I. The Parties to This Complaint**A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	Adrian K. Thomas		
Address	1236 Winsley Court		
	Marietta	GA	30064
	<i>City</i>	<i>State</i>	<i>Zip Code</i>
County	Cobb County Georgia		
Telephone Number	(334)803-7464		
E-Mail Address	akthomas999@gmail.com		

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known) and check whether you are bringing this complaint against them in their individual capacity or official capacity, or both. Attach additional pages if needed.

Defendant No. 1

Name	GOVERNOR OF THE STATE OF ALABAMA		
Job or Title (if known)	OFFICE OF THE GOVERNOR		
Address	600 Dexter Avenue		
	Montgomery	AL	36130
	<i>City</i>	<i>State</i>	<i>Zip Code</i>
County	Washington County Alabama		
Telephone Number	(334) 242-7100		
E-Mail Address (if known)			
<input type="checkbox"/> Individual capacity <input checked="" type="checkbox"/> Official capacity			

Defendant No. 2

Name			
Job or Title (if known)			
Address			
	<i>City</i>	<i>State</i>	<i>Zip Code</i>
County			
Telephone Number			
E-Mail Address (if known)			
<input type="checkbox"/> Individual capacity <input type="checkbox"/> Official capacity			

Defendant No. 3

Name _____

Job or Title (if known) _____

Address _____

City _____

State _____

Zip Code _____

County _____

Telephone Number _____

E-Mail Address (if known) _____

☐ Individual capacity
 ☐ Official capacity

Defendant No. 4

Name _____

Job or Title (if known) _____

Address _____

City _____

State _____

Zip Code _____

County _____

Telephone Number _____

E-Mail Address (if known) _____

☐ Individual capacity
 ☐ Official capacity

II. Basis for Jurisdiction

Under 42 U.S.C. § 1983, you may sue state or local officials for the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” Under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights.

A. Are you bringing suit against (check all that apply):

☐ Federal officials (a *Bivens* claim)

☒ State or local officials (a § 1983 claim)

B. Section 1983 allows claims alleging the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” 42 U.S.C. § 1983. If you are suing under section 1983, what federal constitutional or statutory right(s) do you claim is/are being violated by state or local officials?

I was denied an oath or affirmation signed by the victim, Alabama ruled without personal jurisdiction, Alabama proved no contractual obligation to pay the alleged debt.

C. Plaintiffs suing under *Bivens* may only recover for the violation of certain constitutional rights. If you are suing under *Bivens*, what constitutional right(s) do you claim is/are being violated by federal officials?

- D. Section 1983 allows defendants to be found liable only when they have acted "under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia." 42 U.S.C. § 1983. If you are suing under section 1983, explain how each defendant acted under color of state or local law. If you are suing under *Bivens*, explain how each defendant acted under color of federal law. Attach additional pages if needed.

Under color of Alabama law, I was denied an oath or affirmation signed by the victim, Alabama ruled without personal jurisdiction, Alabama proved no contractual obligation to pay the alleged debt, and Alabama denied me due process and equal protection of the laws. Lori Collier Ingram, judge neglected to prevent further injuries to me. Amendments IV, V, VI, XIV, Rule 12b(2), 15 USC 1692, 42 USC 1985, 1986.

III. Statement of Claim

State as briefly as possible the facts of your case. Describe how each defendant was personally involved in the alleged wrongful action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

- A. Where did the events giving rise to your claim(s) occur?

Dothan, AL In The Juvenile Court of Houston County Alabama

- B. What date and approximate time did the events giving rise to your claim(s) occur?

April 5 2019 at 1:31pm

- C. What are the facts underlying your claim(s)? (For example: What happened to you? Who did what? Was anyone else involved? Who else saw what happened?)

On April 5, 2019 at 1:28 pm I received a letter from the Unified Judicial System State of Alabama stating that the order for the alias warrant was set aside concerning a child support case that has been on-going since 2013. The following day I received another letter stating that the order for alias writ of arrest was re-ordered for the same case. This is double jeopardy, a violation of Amendment V. Since 2016, I have petitioned the Courts of Houston County Alabama as well as Alabama Office of Governor to have my case removed to federal court for Alabama's lack of jurisdiction. I have received threats of arrest from Lori Collier Ingram, Houston County judge without an oath or affirmation signed by the victim which is a denial of due process of law.

IV. Injuries

If you sustained injuries related to the events alleged above, describe your injuries and state what medical treatment, if any, you required and did or did not receive.

Undue stress and fear of being falsely arrested and imprisoned. I now suffer from Legal Abuse Syndrome Post Traumatic Stress Disorder (LASPTSD) due to Alabama abusing the legal system as diagnosed by my physician who also ordered for me a service dog. LASPTSD is protected under the Americans with Disabilities Act Amendments Act.

V. Relief

State briefly what you want the court to do for you. Make no legal arguments. Do not cite any cases or statutes. If requesting money damages, include the amounts of any actual damages and/or punitive damages claimed for the acts alleged. Explain the basis for these claims.

The relief I am asking for is \$35,100 for actual, compensator, and punitive damages. I want the court to grant me the judgement in this case and order Alabama to cease and desist in harassing me any further unless they have a warrant supported by oath or affirmation.

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 06/19/2019

Signature of Plaintiff

Printed Name of Plaintiff

Adrian Thomas

Adrian K. Thomas

B. For Attorneys

Date of signing: _____

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Address

City

State

Zip Code

Telephone Number

E-mail Address

UNITED STATES POSTAL SERVICE **Retail**

P **US POSTAGE PAID**
\$7.35 Origin: 30132
06/19/19
1223100369-12

PRIORITY MAIL 2-Day®

0 Lb 3.80 Oz
1004

EXPECTED DELIVERY DAY: 06/21/19

C039

SHIP TO:
1 CHURCH ST
MONTGOMERY AL 36104-4018

USPS TRACKING NUMBER



9505 5108 3762 9170 4549 51

**PRIORITY®
★ MAIL ★**



VISIT US AT USPS.COM®
ORDER FREE SUPPLIES ONLINE

FROM:

Adrian L. Thomas
1236 Winsky Court
Marietta, GA 30064

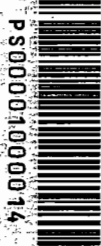
TO:

Alabama Middle District Court
1 church st.
Montgomery, AL 36104

Label 220, March 2016

FOR DOMESTIC AND INTERNATIONAL USE

This packaging is the property of the U.S. Postal Service® and is provided solely for use in sending Priority Mail® shipments. Misuse may be a violation of federal law. This packaging is not for resale. EPI4F © U.S. Postal Service, July 2013; All rights reserved.



EPI4F July 2013
OD: 12.5 x 9.5

VISIT US AT USPS.COM®
ORDER FREE SUPPLIES ONLINE

